

U.S. DISTRICT COURT
DISTRICT OF VERMONT
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT
FILED

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JOHN PICKETT,
JULIE PICKETT, AND
VERMONT MUTUAL INSURANCE
COMPANY

Plaintiffs,

v.

ULTRAMAR ENERGY, INC.,
STAR GAS PARTNERS, L.P., AND
STAR GAS PROPANE, L.P.

Defendants

ULTRAMAR ENERGY, INC.

Third Party Plaintiff

v.

GAS SUPPLY RESOURCES, INC. and
AMERICAN WELDING & TANK CO.

Third Party Defendants

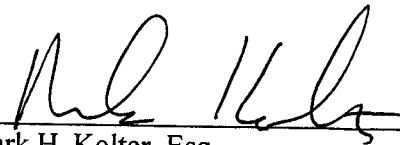
CIVIL ACTION NO. 2:05-CV-46

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

The parties in the above-captioned action, each through its respective counsel, hereby stipulate, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), to the dismissal, without prejudice, of all claims and counterclaims in the above action, each party to bear its own fees and costs, on the grounds that this Court lacks subject matter jurisdiction under 28 U.S.C. §1332.

DATED at Stowe, Vermont this ____ day of October, 2005.

DARBY STEARNS THORNDIKE KOLTER & WARE,
LLP



Mark H. Kolter, Esq.
25 Main Street, P.O. Box 1392
Stowe, VT 05672-1392

Attorneys for Plaintiffs

DATED at Burlington, Vermont this 18 day of October, 2005.

POWELL ORR & BREDICE, PLC

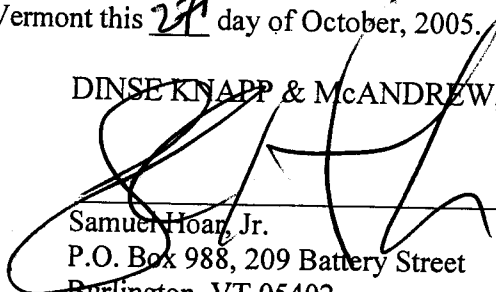


Bret P. Powell
400 Cornerstone Drive, Suite 240
Williston, VT 05495
(802) 878-1500

Attorneys for Defendant Ultramar Energy, Inc.

DATED at Burlington, Vermont this 27th day of October, 2005.

DINSE KNAPP & McANDREW, P.C.




Samuel Hoar, Jr.
P.O. Box 988, 209 Battery Street
Burlington, VT 05402
(802) 864-5751

Attorneys for Defendant Star Gas Partners, L.P. and Star
Gas Propane, L.P.

Dated at Burlington, Vermont, this 13th day of October, 2005.

PAUL FRANK + COLLINS P.C.

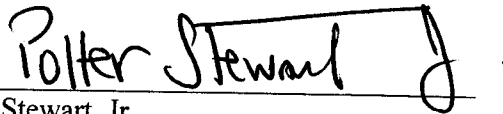
A handwritten signature in black ink, appearing to read "Stephen Soule", written over a horizontal line.

Stephen J. Soule
P.O. Box 1307, One Church Street
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(802) 658-2311

Attorneys for Third-Party Defendant Gas Supply Resources,
Inc.

Dated at Burlington, Vermont, this 14 day of October, 2005.

LAW OFFICES OF POTTER STEWART, JR.

A handwritten signature in black ink that reads "Potter Stewart, Jr." with a stylized flourish at the end.

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Attorneys for Third-Party Defendant American Welding &
Tank Co.

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UNITED STATES DISTRICT COURT
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JOHN PICKETT,
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CIVIL ACTION NO. 2:05-CV-46

CERTIFICATE OF SERVICE

I hereby certify that, on the 26th day of October, 2005, I served the following upon the parties:
Stipulation of Dismissal Without Prejudice, by e-mail and by mailing a copy of the same First Class mail,
postage prepaid, to:

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Attorney for Third-Party Defendant, Gas Supply Resources, Inc.

Dated at Stowe, Vermont on this 26th day of October ~~20~~, 2005.

Attorneys for Plaintiffs John and Julie Pickett

By

 
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